

# MISSING PAGE

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Facts and Commentaries

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Court Record No 15952 and What is Hidden in It.

CIA of the USA and Estonian Emigrees

Why?

In Estonian papers published abroad there was a small notice stating that at the meeting of the representatives of the Estonian Freedom Fighters Association, Gerhard Buschmann was elected its president, replacing Juri Raus who has held that position since 1961. They do not say a word why that exchange took place.

It was not so long ago when they wrote about Juri Raus word for word:

"Several years ago he was elected the President of the Estonian Freedom Fighters Association, and he has been re-elected to that position four times. As president he attempted to modernize it politically and organizationally, attracting Estonians of younger generations, even those who were not veterans of the World War II. Formerly it was a veterans' organization with interests in internal politics." [Voba Eestlane (Free Estonian), 19 March 1966.]

Why was Juri Raus abused and not re-elected as the president?  
Why was it that in the only somewhat lengthy review of the Lakewood (New Jersey) meeting, which appeared in the May issue of Voitleja, the name of the former president Juri Raus was not mentioned at all? Why?

Open Secret

To Estonians living abroad it is an open secret that emigre organizations are serving foreign intelligence groups through their ringleaders. They are being used to keep watch over the Estonians living abroad and for subversive activities against the country of their birth.

Kodumaa (Homeland) columns have repeatedly spoken about this. On such occasions, the leaders of emigre organizations, to lull Estonians living abroad asleep, have explained that this is communist propaganda and slander. But it is not often that they succeed in hiding themselves behind the screen of "communist propaganda." It was not too long ago that people recovered from the trial in the municipal court of Stockholm, a trial which attracted much public and newspaper attention in Sweden. It dealt with Heinrich Mark, who is the Office Manager of the Estonian Committee, member of the editorial board of Teataja (Informer), and the State Secretary of the so-called Oslo government, and who was spying for a world power. Even Eesti Päevaleht (Estonian Daily News) had to write about this. It was done in a confused manner, but it was all obvious to the Estonians living abroad.

Let us recall:

"The Supreme Court of Sweden has declined the petition of a 50 year old stateless Estonian to annul sentences handed down by the Municipal Court and by the Chamber Court." The above-mentioned courts sentenced him to seven months of hard labor and to deportation for inadmissible dissemination of information harmful to one foreign state and helpful to another in the years 1958-1960."

One can recall how in 1961, a former official of CIA, John Torpats, who acted as CIA agent among Estonians living abroad, brought suit against CIA for having unjustifiably dismissed him on the ground that he "lacked objectivity in appraising the problems of Estonian emigres." In his statements John Torpats exposed CIA's hidden areas disclosing CIA collaboration with the Estonian emigre organizations and their leaders. Torpats stressed in his statement that he had fallen prey to intrigues.

The ill-famed Allan Dulles, the chief of the CIA at that time, sent a furious letter to the court, in which he requested for an immediate ending of the process. Among other things he wrote:

"If any CIA employee can go to court at anytime whenever he thinks he has been unjustly treated, and in conflict with his oath presents all kinds of explanations, then it would be impossible to direct any kind of intelligence organization."

Both the District Court and the Court of Appeals gave in to Dulles's request and ended the process.

Even more frequently Estonian emigre organizations and their leaders find themselves in an embarrassing position because of their ties with USA intelligence organs.

We have heard that John Diefenbaker, leader of opposition in the Canadian Parliament, and the former prime minister, questioned in the Canadian Parliament the activities of CIA among emigrants living in Canada. Paul Martin, Minister of Foreign Affairs of Canada, replying

to the question, stated that, in connection with the scandal of the Estonian emigres, the Government of Canada has requested an explanation from Washington. Talks with the USA government are continuing and at present it is impossible to give any further information.

#### What Brought About the Scandal?

The start to it was given in 1964, when Eerik Heine went from Canada to the USA on his recurrent tours, carrying with him the fruit of his fantasy, the film Legendi Loojad (Creators of a Legend). While Eerik Heine, at that time a member of the Canadian National Association for External Combat, the Toronto Estonian Fighters Association and of the Canada National Association, was on a tour in the USA, rumors began to go around that he is not a "freedom fighter" but a KGB agent. Who started such a rumor? It became clear that it was started from quite an authoritative source. Juri Raus, President of the Estonian Freedom Fighters Association in the USA, had on three separate occasions publicly named Eerik Heine as a communist agent.

Eerik Heine became offended. But he himself is relatively vain, and not too long ago he was spreading similar rumors about the poet Kalju Lepik, when the latter came from Sweden to Canada to read his poetry.

While Eerik Heine had by this time calculated the price of his dignity, he presented a demand for \$110,000 against Juri Raus through his lawyers. This was done on 5 November 1964 at the US Maryland District Court. Of the \$110,000, \$10,000 was for material losses and \$100,000 for damages to his dignity. In a word, a common and true occurrence among public men of emigre organizations. One idealistic

fighter has bit the leg of another. But the development of this case showed that this time the whole business was more complicated.

#### CIA Interferes

The trial began on 11 March, and right from the beginning it became clear that the Federal Judge Roszel C. Thomsen faced a difficult problem. After discussions had lasted some 3 hours they were stopped right in the middle.

The lawyers of both parties had done their work thoroughly. On the judge's desk were several large files containing sworn depositions of Erik Heine. These he had given during the preliminary hearings when the lawyers of Juri Raus had questioned him for several days. The judge had also in front of him a large file containing questions which the lawyers of Erik Heine wished to ask Juri Raus. The judge said that this file contains over 400 questions, which together with secondary questions, makes a total of almost 1,000 questions.

Erik Heine's lawyers had worked in vain. Juri Raus refused to answer.

His lawyers adopted, for defense purposes, the doctrine of official secretiveness and introduced, before the case was started, an objection in which they petitioned the judge to end the case without examining its contents. In their explanations they leaned on the written certificate signed by Richard Helms, the Deputy Chief of CIA,

This CIA certificate pointed out that Juri Raus had acted on basis of information he obtained from CIA and on CIA instructions.

The newsmen present remarked that such a step by CIA is surprising, for usually CIA does not give any explanations to the courts or to the public.

Despite this, this document, which had come from a person of very high position in the USA, did not end the deliberations by the Federal Judge Roszel C. Thomsen.

After this, the lawyers of Juri Raus took the following step. Lawyer Conolly petitioned the judge to examine his co-worker, lawyer Barret E. Prettyman, under oath, as to whether it is really true that one is dealing with problems and facts touching upon the national security of the USA.

From the testimony of Barret E. Prettyman it became clear that he has been at least twice in the CIA headquarters in Langley, has had conferences there as to how to deal with Heine's action against Raus, and how to conduct Raus's defense so that it would not endanger or lay bare the security organ of the USA.

[The text of the certificate presented to the Federal Court of the State of Maryland by Richard Helms, the Deputy Chief of CIA which was printed in the Evening Star of Washington on 20 April of this year.]

Still, the judge took the stand that in the given circumstances he has no right to disrupt the legal proceedings. If Juri Raus is not able to present to the court weightier and more exact evidence, or if the US government itself will not categorically request the breaking up of the trial, Heine's request may come up for factual discussion in the court.

#### A Still Stronger Trump

The second court session, which took place on 14 April, in Baltimore, showed that one can only have sympathy for Erik Heine. In starting the case against Juri Raus, he had no idea that he was brushing against the honor of the CIA uniform. That establishment does not permit such jokes to be played on it.

So it developed that the sworn statement of Richard Helms, the Deputy Chief of CIA, in which he said that Erik Heine had been sent out on assignment by Soviet intelligence, became the sensation of the second trial.

Let us leave that sworn statement of Richard Helms to his own conscience.

Much more interesting is that part of Richard Helms's statement in which he talks about Juri Raus.

In that we read word for word:

"For various reasons, including his past and his position as the President of the Estonian Freedom Fighters Association in the USA, the defendant has been a source of intelligence information for our agency,



among other things, about Soviet Estonia and about the activities of Estonian refugees in foreign countries and in the USA,"

This is probably the first document in the history of CIA and of Estonian emigre organizations in which CIA openly proves that:

- a) it makes use of one Estonian emigrant organization and its chief (Juri Raus is also a member of the Estonian National Committee, a central organization of Estonians in USA) for its dirty purposes;
- b) it makes use of Estonians living abroad for intelligence and for undermining activities against Soviet Estonia; c) it makes use of some American Estonians to spying on other American Estonians for its own benefit;
- d) Estonians living in other foreign countries can not live in peace because the CIA is following their activities.

In this commentaries are superfluous!

Richard Helms's statement continues as follows:

"I have personally examined CIA activities connected with Eerik Heine. I have reached the conclusion that it would be contrary to security interests if more information about Juri Raus's usefulness and employment by CIA would be made public than what is known by this time. Herewith I am ordering Juri Raus not to disclose anything concerning his employment with CIA without specific written permission from responsible officials of CIA.

Attached to the evidence is a written agreement which was made several years ago, in which Raus promises never to give information about his CIA contacts and its activities without written permission to do so.

At this point the trial was stopped again. At the end of this session, as the newspapers pointed out, the federal judge Roszel C. Thomsen hinted that he would disallow E. Heine's claim against J. Raus because of his immunity.

#### Heavy Artillery Enters the Play

At the beginning of the following court session, the lawyers of Raus handed a new memorandum to the judge in which they had newly and concisely worded their position concerning their desire to end the case without examination of content.

The question arises as to where is that much praised American democracy and justice, when people are prevented from enjoying rights granted them by the Constitution.

Next, CIA brought out its heavy artillery in the form of a new certificate which was signed this time by the Chief of the CIA Admiral William F. Rayborn himself. Certificates introduced by CIA have all had a constantly increasing degree of exactitude and vigor. In general this certificate repeated the previous ones.

At the end of this certificate W. F. Raborn said that in his personal opinion any further statements by Juri Raus concerning this question would endanger sources of intelligence information and methods. The chief of CIA pointed out in his certificate that Raus is fully justified in seeking immunity in discussion of the problem. The Admiral notified the court that he has sent Lawrence R. Houston, the legal advisor of CIA, to be an official representative at the trial.

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Following this, Rauskauskas, Heine's lawyer asked the judge's permission to begin the questioning of Juri Raus, for without such an examination he would not be able to appraise future developments.

Conolly, advocate of Raus, agreed to the swearing-in of Raus.

In his first question Rauskauskas wished to find out how much pay Raus received for his services in the active military reserve, in which he has the rank of a captain. To this was added another problem when Raus mentioned in his answers to the questions that part of the money he received was for attending intelligence school. The advocates of Raus and the representative of CIA did not permit Raus to answer in a greater detail to the questions concerning the intelligence school.

Most essential were the questions dealing with Raus's salary: What was the source of his pay, how much and for what did Raus receive his salary. On this topic Rauskauskas presented many detailed questions.

The lawyers of Raus, the CIA legal adviser Houston, and Kevin T. Maroney, counsel of the Internal Security Department of the US Department of Justice, consulted each other on this question. CIA legal adviser Houston made a statement to the court that "the defendant, that is, Juri Raus has received pay directly or indirectly from the CIA." Houston refused to say how great was the compensation or through whom he received it, or if it formed part of the pay received by Raus in his capacity as a road-building engineer in the US Bureau of Public Roads or if he received it from sums allocated for reserve services or in some other manner.

As Houston's statement confirmed the working relationship between CIA and Raus, this pulled the rug from under the feet of Heine's lawyers, who wished to break through Raus's immunity.

Questions followed which touched on Juri Raus's ties with the FBI. The lawyers were interested in finding out the date from which Juri Raus had been connected with CIA, and who were the people in CIA with whom he had contact.

Following the presentation of these questions Raus's lawyers and the representative of CIA requested time for consultations with Raus and among themselves. Kevin T. Maroney, counsel of the Internal Security Department of the US Department of Justice, participated in these consultations.

Following a couple of such consultations the problem was solved by the statement of the representative of the Department of Justice in which he said that to prevent a possible conflict between CIA and FBI he sides with the CIA assertion that there is no need to answer these questions.

After this Heine's lawyer Raskauskas said to the judge: "Since I was not given the opportunity to ask the questions dealing with the essential issues, I am ending my questioning." So ended this court session.

During the following court session Federal Judge Roszel C. Thomsen announced that the trial has been postponed till fall. It's end is not difficult to foresee. CIA will do everything to have the case end unfavorably for Heine.

There Could Be More

It is interesting to observe of how the Estonian language emigre papers in USA and Canada took the above-mentioned court proceedings and the commentaries on it in the western press.

The Vaba Eesti Sona (Free Estonian Word), published in New York, stated that one of New York dailies (presumably the New York Times) wrote in its editorial dealing with the trial of the CIA and the two Estonians that discussion of the essentials of this case would be very profitable, for the public would see CIA interference in Estonian politics. Such an interference in Estonian politics is shameful and deserves condemnation.

Vaba Eesti Sona is not able to hide its displeasure with such an appraisal in an American paper, and it writes: "In our opinion there could be even more such interference than there has been up to now."

Nothing could be done about this. Whose (CIA!) bread one eats, his song one sings. Does it matter that Estonian living abroad who read the paper do not like to be pulled into the CIA's squalid sphere of influence. The gentlemen from the editorial office of Vaba Eesti Sona feel most comfortable in those muddy waters.

The Vaba Eestlane (Free Estonian) in Toronto is more reserved in its flirtation with CIA but even it curtsies deeply in the presence of CIA. They write:

"CIA" as a world-wide organization is a most important defense organization of the USA when Americans criticize this organization then that is their privilege, in which we do not have to rush in with our help.

The small number of Estonian emigres should not look for conflicts with the government of the USA and its institutions. Do we think that CIA, a large intelligence organization, accuses one Estonian and defends another just for fun or sympathy?"

And In American Papers

The majority of USA papers see in this trial an attack by CIA on the rights of citizens.

The well known commentator Richard Wilson, whose writings are presented simultaneously in a large number of American paper, dedicated an article to this trial entitled "CIA Trial Hides Dangerous Philosophy."

Wilson notes that the US Government treats the Heine-Raus trial very seriously, for it will affect the privileges of government officials and their conduct in carrying out their assignments. He said that it is of no importance if one Estonian spoke the truth or was lying. The question is if any government official, bureaucrat, or a person who acts under governmental orders, is immune from claims brought against him in a court.

In Wilson's opinion it would be a major misfortune if such privileges became established on solid legal foundation.

The newspaperman states that one of the fundamental principles of the American life is in danger: this is the protection of an individual against malicious acts of the government. He writes that once before Supreme Court decided by a vote of 5 to 4 for the principle of immunity. Possibly by now the time has arrived for the Supreme Court, in which there have been changes in personnel, to correct its former decision, said Wilson.

Observer Fred P. Graham, in his article, reaches the conclusion that results of Raus's testimony are so unsatisfactory that they raise the fundamental question of whether it is possible to coordinate intelligence activities with the US legal system.

Stephan S. Rosenfeld, observer of the Washington Post, writes:

"We are not trying to come to a conclusion as to who is right and who is wrong in Heine's case against Raus. But we think it inadmissible when government officials are given unlimited license for slander. If disclosure of information about Raus is contrary to USA Security interests, as the CIA says, then CIA is under an obligation to compensate Heine for the moral wrong done him.

The USA has other interests beside establishing its security. We are interested in having justice and incorruptability rule in the American courts."

Further on, the article states that if the government, in starting a trial, faces the possibility of endangering itself by having some of its secrets exposed, it can not do anything else but to accept the risk. If the government does not want the exposition of some of its

materials to put it in an embarrassing position, it should not start any court action.

Then Stephan S. Rosenfeld asks a fully justified question, which, for some reason never occurred to the editors of the Estonian emigre papers.

The observer of Washington Post asks:

"For what purpose is CIA trying to interfere in affairs of the Estonian community in USA? Such interference in the political activities of citizens of foreign origin, in our opinion, is equal to the most dangerous kind of subversive activity, which is wrecking the foundation of American political life. CIA should be categorically prohibited from interfering in their internal affairs."

The Answer To the Question Why

At the beginning of this article we asked the question as to why a new man instead of Juri Raus, was elected president of the Estonian Freedom Fighters Association at their meeting in Lakewood.

It is clear, without any lengthy explanation, that after the great attention that the Heine-Raus trial received in America, it was not becoming for CIA to leave its agent, Juri Raus, whose name and activities in the USA and in other nations were so well known, as the head of that Estonian emigre organization.

It also took away from Juri Raus the opportunity to get close to Estonians who go to the USA from the Soviet Estonia. No longer will it help him to use the name of the poet Juri Kork. It is under that



name that he preferred to present himself to Home (Estonian) Estonians in his attempts to establish contacts with them to carry out CIA assignments.

In a word, Juri Raus's value as CIA agent has greatly declined.

One can not accept as fortunate CIA's choice of Gerhard Buschmann as the successor for Juri Raus's position as the president of the Estonian Freedom Fighters Association.

Voitleja (Combatant), published in West Germany, states;

"... G. Buschmann has fervently participated in the social activities of Estonians in the Free World. While living in Germany he was a member of the EUSL body of representatives and of its central committee. He also was the representative of Estonians living in Southern Germany on the Central Council of Estonia, and is at present the agent of EUKN, a top combat organization, in Washington, while at the same time representing there the Estonian National Committee and taking care of tasks assigned to him by Estonians."

"Unfortunately Voitleja does not mention the fact widely known to Estonians living in West Germany that Gerhard Buschman, while living in Munich, was a CIA agent on the Central Committee of EUSL.

Data submitted by him to CIA became fateful to many Estonians in their attempts to migrate from Germany to the USA.

Such is the story of the removal of Juri Raus from the position of President of the Freedom Fighters Association. From this, one can come to the conclusion that CIA has not changed its plans to use this emigre organization, as well as other Estonian emigre organizations, for its filthy interests. It is not for nothing that CIA placed its deserving agent, Gerhard Buschmann, as head of that organization.

Is it?

Is it?

Is it?

Americans have more and more questions in connection with CIA activities. The largest paper in the USA, the New York Times, dedicated its editorial of 29 April to the fact that CIA activities are not wholly correct, and that there should be stricter control over its activities.

This editorial was preceded by series of articles dealing with CIA activities which appeared in five issues of the New York Times.

The introductory sentence said:

"CIA, which is seldom seen in the daily news, has in the last few days appeared on the front pages. It was disclosed that CIA interfered in a slander trial of one of its agents, and attempted to free him from blame without any other explanation but the fact that he had acted on orders of CIA in the interest of national security."

After analyzing CIA's filthy activities in the USA and in other places in the world, the New York Times summarizes the questions dealing with CIA activities, which interest Americans, in the following manner:

Is it possible that the USA government trusts CIA too much in its "Black operations", "Filthy Tricks," and insolent and illegal acts in various places in the world?

Is it possible that the secret organization has freed itself from the supposed political control of its master (US Government). The organization about which it is known that it overthrows some governments, and promotes others, arranges coups d'etats, and prepared and carried out an attack on Cuba; an organization which deals with spying, owns schools and radio stations, finances the publishing of books and newspapers, and directs the activities of many enterprises.

Is it possible that it (CIA) harms its own national interests under pretence of defending them? Why can it spend huge amounts (without any auditing) for corruption, bribery and subversive activities, without taking into consideration the possible consequences.

Is it possible that it is misleading or influencing US political leaders to such an extent that it would qualify CIA as the invisible government of the USA, having greater power than the President of the USA?

The New York Times notes that all these questions should always be visible to the people of the USA. But the way things go at present it is difficult for the people and for Congress to receive answers, and even more difficult to receive answers which would be absolutely true.

The paper notes that CIA's history, starting from 1947, unmistakably shows that the question of control, even if it is real and is of immense

importance, depends on people and not on measures. Forms of control do not mean anything if there is no desire to control. If there is a will to control, the forms of control are not particularly important.

At the same time the paper remarks that even the President presumably can not force his will on CIA if it is against the wishes of the CIA Chief, the second man in the field of control after the President. One has to have the consent, help, and energetic co-operation of the CIA chief.

What could be added to the stand taken by the New York Times?

In political circles and in the Congress one hears ever more frequently a demand that the activities of the CIA should be put under congressional control. In both houses of the Congress, there some 150 plans to achieve this have been presented and shelved. Not one of them has reached the debating stage in Congress. All attempts to establish control over CIA have met insurmountable opposition.

H. Salu

[Filthy Tricks

Front page of the West German publication Der Spiegel.

A lengthy revue of CIA activities was published in this issue.

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Editorial office: Tallinn

Valli tr 4, Post office Box 411]

Source

The following sources were used in preparation of the present  
number of Facts and Commentaries:

The New York Times, New York

The Evening Star, Washington

The Washington Post, Washington

The Washington Daily News, Washington

Telegram, Toronto

The Globe and Mail, Toronto

Der Spiegel, West Germany

Eesti Paevaleht, Sweden

Teataja, Sweden

Vaba Eesti, Sona, USA

Vaba Eestlane, Canada

Voitleja, West Germany